

Grand Junction, Colorado
January 18, 1928

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P.M. Those present and answering at roll call were Councilmen Moslander, Penberthy, Meders, Bear, Rogers, Hall, Ellison. City Manager Thompson, City Attorney Hinman, and City Clerk Niles.

The minutes of the regular meeting January 4th were read and approved.

Leach Newstand, 4th and Main:

Mr. Burgess, Attorney for Mr. Leach, brought up the matter of continuing the license for Mr. Leach's news-stand on the corner by the J. C. Penney Company's store. Mr. J. J. Hamilton, Manager of J. C. Penney Company, being out of town, filed a letter with the City Clerk stating that in-as-much as the Penney store was to be remodeled, he felt that it was only fair to have the immediate neighborhood conform somewhat to the general surroundings. He stated that he did not wish to be unfair to Mr. Leach, and suggested that the City Council issue him a license until April 1st.

Councilman Penberthy moved, Councilman Hall seconded the motion that the City of Grand Junction issue Mr. Leach a license for one year, with the understanding that he vacate his present location at the corner of 4th and Main Streets by July 1st, 1928. Motion carried.

Public Service Company Application to Public Utilities Commission to Divert Water from Royal Gorge:

Mr. Silmon Smith, Attorney for the Denver & Rio Grande Western Railway Co. and Mr. J. P. Helman, Attorney for the Public Service Company of Colorado, were present to argue the matter of the Public Service Company of Colorado making application to the Public Utilities Commission of Colorado for a permit to divert water from the Royal Gorge.

The following resolution was presented and read:

WHEREAS: The Public Service Company of Colorado has applied to the Public Utilities Commission of the State of Colorado for a certificate of public necessity and convenience, and has applied to the Federal Power Commission for a permit to divert 300 second feet of water from the Royal Gorge, and

WHEREAS: representatives of the said Company have stated that the said company would withdraw their said application if such proposed diversion would impair the scenic value of the Royal Gorge, and

WHEREAS: a brief study of the records of the flow of the Arkansas River through the Royal Gorge would seem to indicate that such diversion would leave the river-bed dry at times, therefore,-

BE IT RESOLVED, that the City Council of Grand Junction, Colorado, go on record as opposing the granting of such permit, unless a thorough study of the facts and the plans of the said Company by the Commission, makes it apparent that the Royal Gorge will not be made less interesting and attractive by reason of such diversion, in which event the said City Council favors the granting of said permit.

Councilman Hall moved, Councilman Ellison seconded the motion that the resolution as read, be passed and adopted and that the City Clerk be instructed to send copies of this resolution to the Secretaries of the Federal Power Commission and the Colorado Public Utilities Commission. Upon which motion the following vote was cast: Councilmen voting Yea: Penberthy, Rogers, Hall, Ellison. Councilmen voting NO, Meders, Bear, Moslander. A majority of the Councilmen voting YEA, the President declared the motion carried.

The Proof of Publication of the Ordinance entitled AN ORDINANCE REGULATING THE WEIGHT OF BREAD IN THE FORM OF LOAVES ON SALE IN THE CITY OF GRAND JUNCTION, COLORADO, AND PROVIDING A PENALTY FOR VIOLATION THEREOF was presented. Councilman Meders moved, Councilman Bear seconded that the Proof of Publication be accepted and filed. Motion carried.

Ordinance #427:

The proposed ordinance was then read by the Clerk, and upon motion of Councilman Bear, seconded by Councilman Rogers, the proposed ordinance was called up for final passage. Motion carried.

Councilman Hall thereupon moved, Councilman Penberthy seconded the motion that the proposed ordinance entitled, "AN ORDINANCE REGULATING THE WEIGHT OF BREAD IN THE FORM OF LOAVES ON SALE IN THE CITY OF GRAND JUNCTION, COLORADO, AND PROVIDING A PENALTY FOR VIOLATION THEREOF, be passed and adopted, numbered 427 and published. Upon which motion the following vote was cast. Councilmen voting YEA, Penberthy, Meders, Bear, Rogers, Hall, Ellison, Moslander. All the Councilmen voting YEA, the President declared the motion carried.

Carpenter Bond:

The bond of Mr. F. S. Carpenter, Auctioneer, having been approved as to form by the City Attorney, was presented by the Clerk. On motion of Councilman Penberthy, seconded by Councilman Meders and duly carried the bond was accepted and ordered filed.

Senter Bond:

The bond of Mr. H. L. Senter, Auctioneer, having been approved as to form by City Attorney Hinman, was presented. Councilman Meders moved, Councilman Penberthy seconded the motion that the bond be accepted and filed. Motion carried.

Rader Bond:

The bond of Mr. J. W. Rader, plumber, having been approved as to form by the City Attorney, was presented, Councilman Bear moved, Councilman Meders seconded the motion that the bond be accepted and filed. Motion carried.

Proposed Ordinance Changing Registration Ordinance:

A proposed ordinance entitled AN ORDINANCE AMENDING SECTIONS 4, 5, AND 6, OF ORDINANCE NO. 212, PASSED AND ADOPTED AUGUST 26, 1913, ENTITLED "AN ORDINANCE TO PROVIDE FOR ESTABLISHING AND MAINTAINING PERMANENT REGISTRATION LISTS OF THE QUALIFIED ELECTORS IN THE ELECTION PRECINCTS WITHIN THE CITY OF GRAND JUNCTION, FOR USE IN MUNICIPAL ELECTIONS: TO PROVIDE FOR PUNISHING ALL VIOLATIONS THEREOF AND FOR THE APPOINTMENT OF JUDGES FOR SPECIAL ELECTIONS WHERE NO CANDIDATES ARE TO BE VOTED FOR", was introduced and read.

Councilman Meders moved, Councilman Ellison seconded the motion that the proposed ordinance be passed for publication. Motion carried.

Proposed Ordinance on Cutting Weeds:

A proposed ordinance entitled AN ORDINANCE AMENDING SECTIONS 1, 4, and 5 OF ORDINANCE NO. 236, PASSED AND ADOPTED MAY 18, 1915, AND ENTITLED "AN ORDINANCE CONCERNING THE CUTTING OF WEEDS", was presented and read. Councilmen Meders moved, Councilman Bear seconded the motion that the proposed ordinance be passed for publication. Motion carried.

Proposed Ordinance Concerning Larceny:

A PROPOSED ORDINANCE ENTITLED, "AN ORDINANCE CONCERNING LARCENY AND THE BUYING OR RECEIVING GOODS OR OTHER THINGS OBTAINED BY LARCENY, BURGLARY OR ROBBERY, AND PROVIDING A PUNISHMENT THEREFOR", was introduced and read. Councilman Rogers moved, Councilman Meders seconded the motion that the ordinance be passed for publication. Motion carried.

Statement of Cost, Paving District No. 18:

The following statement showing the full cost of Paving District No. 18 was presented:

STATEMENT

Showing the whole cost of the improvements of Grand Junction Paving District No. 18, including interest to and including February 29th, 1928, and including two per centum additional for the cost of collection, and apportioning the same upon each lot or tract of land to be assessed for the same, that said sum of \$53,529.07 is to be apportioned against the real estate in said district and against the owners thereof respectively as by law provided, in the following proportion and amounts severally as follows, to-wit:

Construction cost, labor, materials, and supplies,	\$45,038.82
Engineering & Supplies	1,670.93
Advertising and legal printing	132.33
Attorney's Fees	50.00
Miscellaneous (telephone, telegraph, petty cash)	12.06
Assessment Book	41.89
Lead Pipe, water service connections	3,846.45
Legal Printing of Final publications, assessments, etc. (Estimated)	200.00
Labor to complete assessments etc. (Estimated)	200.00
Interest on bonds,	
\$53,000.00 - Sept. 1, 1927 - Mar. 1, 1928	1,192.50
Discount on \$53,000.00 Bonds	749.42
Sub Total	\$53,134.40
Less accrued interest collected	654.92
Sub Total	\$52,479.48
Adding 2% for Cost of Collection	1,048.59
Total Cost to be assessed	\$53,529.07
Received from sale of \$53,000.00 bonds with accrued interest and discount on bonds	52,911.35
Total cost of District including interest up to and including February 29 th , 1928, and discount on bonds (not including cost of collection)	52,479.48
Leaving Balance on March 1st of	431.87

Paving District No. 18:

NOTICE

OF THE COMPLETION OF A LOCAL IMPROVEMENT IN THE CITY OF GRAND JUNCTION, COLORADO, AND APPORTIONMENT OF THE COST THEREOF.

To all persons interested and to the owners of the real estate which is hereinafter described, said real estate comprising the district of lands known as Paving District No. 18:

Notice is hereby given that the improvements in and for said District which are authorized by and are in accordance with the terms and provisions of a Resolution passed and adopted on 15th

day of June, 1927, declaring the intention of the City Council of the City of Grand Junction, Colorado, to create a local improvement district to be known as "Paving District No. 18", with the terms and provisions of a Resolution adopting details and specifications for said District, passed and adopted June 29th, 1927, and with the terms and provisions of a Resolution passed and adopted August 1, 1927, creating and establishing said District. All being in accordance with the terms and provisions of Ordinance No. 178 of said City, as amended, and that said improvements have been accepted by the City Engineer and the City Council of the City of Grand Junction.

That the whole cost of said improvements have been definitely ascertained and is in the sum of \$53,529.07, said amount including two per centum additional for cost of collection and also including interest to and including Feb. 29, 1928, at the rate of four and one-half (4 ½) per centum per annum on the bonds issued from time to time in payment of the cost of said improvements; that the part apportioned to and upon each lot and tract of land within said District and assessable for said improvements is as hereinafter set forth; that payment may be made to the Treasurer of the City of Grand Junction at any time within thirty days after the final publication of the assessing ordinance, assessing the real estate in said District for the cost of said improvements, and that the owner so paying would be entitled to an allowance of two per cent for all payments made during said period, and of interest from date of payment to the date the first installment becomes due.

That any complaints or objections that may be made in writing by the said owner or owners of land within said District and assessable for said improvements, or any other person interested, made to the City Council and filed in the office of the City Clerk of said City within thirty days from the first publication of this Notice, to-wit:

On or before and up to 5:00 o'clock P. M. on the 21st day of February, 1928, will be heard and determined by the said City Council at its first regular meeting after said last mentioned date and before the passage of any ordinance assessing the cost of said improvements against the real estate in said District, and against said owners respectively as by law provided.

That said sum of \$53,529.07 for paving is to be apportioned against real estate in said District and against the owners respectively as by law provided in the following proportion and amounts severally as follows, to-wit:

DESCRIPTION AND APPORTIONMENT

PAVING DISTRICT NO. 18

CITY OF GRAND JUNCTION, COLORADO

NOTE:- When ever in the following description, the numbers of the first and last lots of a series of lots are mentioned, they shall be taken to include the first, the intermediate, and the last named lots, and the amounts given shall be for each lot.

Block 6 -- Lot 17-\$25.88; lot 18-\$38.82; lot 19-\$51.76; lot 20-\$77.65; lot 21-\$90.59; lot 22-\$103.53; lots 23, 25, 27, 29, & 31-\$71.85; lots 24, 26, 28, 30, & 32-Paving \$71.85, lead service \$23.67.

Block 7 -- Lots 17, 18, 20, 21, 22, 24, 25, 27 to 32-\$72.08; lots 19, 23, 26-Paving \$72.08, lead service \$23.67.

Block 8 -- Lots 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 31-\$72.02; lots 21, 28, 30, 32-Paving \$72.02, lead service \$23.67.

Block 9 -- Lots 17 to 20 and 22 to 32-\$72.13; lot 21-Paving \$81.31, lead service \$23.67.

Block 10 -- Lots 17 to 32-\$72.08.

Block 11 -- Lots 13 to 24-\$71.79.

Block 12 -- Lots 1 to 6-\$71.79; N1/2 lots 7 to 12-\$301.52; S1/2 lots 7 to 12-\$129.22.

Block 13 -- Lots 1 to 16-\$72.08.

Block 14 -- Lots 1 to 10 and 12 to 16-\$72.13; lot 11-Paving \$72.13, lead service-\$23.67.

Block 15 -- Lots 1 to 6 and 8 to 11-\$72.02; lot 7-Paving \$72.02, lead service \$23.67; S1/2 lots 12 to 16-\$108.03; N1/2 lots 12-13-Paving \$100.83, lead service \$23.67; N1/2 lots 14, 15, 16-Paving \$151.24, lead service-\$23.67.

Block 16 -- N3/5 lots 1 to 5-\$281.11; S2/5 lots 1 to 5-\$79.29; lots 6, 9, 11, 13-Paving \$72.08, lead service \$23.67; lots 7, 8, 10, 12, 14, 15, 16,-\$72.08.

Block 17 -- Lots 1, 2, 3, 5, 6, 7, 8,-\$71.85; lots 4, 9-Paving \$71.85, lead service \$23.67; lot 10-Paving \$71.85, lead service \$7.89; lot 11-Paving-\$124.24, lead service \$23.67; lot 12-\$100.94; lot 13-\$77.65; lot 14-\$54.35; lot 15-\$31.06.

Block 23 -- Lots 18-Paving \$130.50; lead service \$23.67; lots 19, 20, 22, 24, 27, 29, 31, 32, 33-\$62.24; lots 21, 23, 26, 28, 30, 34-Paving \$62.24, lead service \$23.67; lot 25-Paving \$71.72.

Block 24 -- Lots 17, 20, 22, 23, 25, 28, 29-Paving \$62.54, lead service \$23.67; lots 18, 19, 21, 24, 26, 27, 30, 31, 32-\$62.54.

Block 25 -- Lots 17, 18, 20, 23, 24, 25, 26, 28 to 32-\$62.54; lots 19, 21, 22, 27-Paving \$62.54, lead service \$23.67.

Block 26 -- Lots 17, 19, 20, 21, 22, 23, 25, 26, 28, 30, 31-\$62.54; lots 18, 24, 27, 29, 32-Paving \$62.54, lead service \$23.67.

Block 27 -- Lot 1-\$112.41; lot 2-\$91.33; lot 3-\$70.25; lot 4-\$49.18; lot 5-\$28.10; lots 20, 21, 22, 23, -\$62.89; lot 24-\$50.27; lots 25 & 26-Paving \$45.21, lead service \$23.67; lot 27-\$45.22; lot 28-Paving

\$46.61, lead service \$23.67.
 Block 28 -- Lot 16-\$31.10; lot 17-\$54.43; lot 18-\$77.76; lot 19-\$101.10; lot 20-Paving \$124.41, lead service \$23.67; lots 21, 23, 29-Paving \$71.96, lead service \$23.67; lots 22, 24 to 28 and 30-\$71.96.
 Block 29 -- Lots 17, 19, 21, 23, 24, 26, 28, 32-\$72.10; lots 18, 20, 22, 25, 27, 31-Paving \$72.10, lead service \$23.67; S1/2 lots 29, 30-Paving \$100.94, lead service \$23.67; N1/2 lots 29, 30-\$43.26.
 Block 30 -- Lots 17, 19, 20, 21, 22, 24, 25, 27, 30, 31, 32-\$72.10; lots 18, 23, 26, 28-Paving \$72.10, lead service \$23.67; lots 29-Paving-\$72.10, lead service \$37.13.
 Block 31 -- Lots 17, 19, 23, 25, 28, 31,-Paving \$72.10, lead service \$23.67; lots 18, 20, 21, 22, 26, 27, 29, 30, 32-\$72.10; S 90 ft. lot 24-\$63.16; N 35 ft. lot 24-\$8.94.
 Block 32 -- Lots 17, 20, 22, 23, 25, 27, 30, 32-Paving \$72.10, lead service \$23.67; lots 18, 19, 21, 24, 26, 28, 29, 31-\$72.10.
 Block 33 -- Lots 13, 15 to 22 & 24-\$71.81; lots 14, 23-Paving \$71.81, lead service \$23.67.
 Block 34 -- Lots 1, 3 to 10 & 12-\$71.81; lots 2, 11-Paving-\$71.81, lead service \$23.67.
 Block 35 -- Lots 1, 2, 3, 5, 6, 8, 9, 10, 11-\$72.10; lots 4, 7, 12-Paving \$72.10, lead service \$23.67; N1/2 lots 13 to 16-Paving \$201.88, lead service \$23.67; S1/2 lots 13 to 16-\$86.52.
 Block 36 -- Lots 1, 3, 11, 14-Paving \$72.10, lead service \$23.67; lots 2, 4 to 10 & 12, 13, 15, 16-\$72.10.
 Block 37 -- Paving \$1,153.30, lead service \$47.34.
 Block 38 -- S1/2 lots 1 to 5-\$108.15; N1/2 lots 1 to 5-\$252.35; lots 6, 10, 12-Paving \$72.10, lead service \$23.67; lots 7, 8, 9, 11-\$72.10; N 75 ft. lots 13 to 16-Paving \$224.95, lead service \$23.67; S 50 ft. lots 13 to 16-Paving \$63.45, lead service \$29.58.
 Block 39 -- Lots 1, 3, 4, 5, 7, 8, 9-\$71.96; lots 2, 6, 10-Paving \$71.96, lead service \$23.67; lot 11-Paving \$124.41, lead service \$23.67; lot 12-\$101.10; lot 13-\$77.76; lot 14-\$54.43; lot 15-\$31.10.
 Block 40 -- Lot 7-\$28.10; lot 8-\$49.18; lot 9-\$70.26; lot 10 \$91.33; lot 11-\$112.41; lots 12, 13, 15, 16, 17, 18, 20-\$62.89; lots 14 & 19-Paving \$62.89, lead service \$23.67.
 Block 41 -- Lots 1 to 16-\$62.54.
 Block 42 -- Paving \$1,000.35.
 Block 43 -- Lots 1, 3 to 8 & 10, 11, 14, 16-\$62.54; lots 2, 9, 12, 13, 15-Paving \$62.54, lead service \$23.67.
 Block 44 -- Lots 1, 6, 9, 11-Paving \$62.24, lead service \$23.67; lots 2, 3, 4, 5, 7, 8, 10 & 12 to 16-\$62.24; lot 17-\$130.50
 Block 99 -- Lots 13, 16, 17, 18, 19, 21, 23, 24-\$47.80; lots 14, 15, 22-Paving \$47.80, lead service \$25.00; W1/2 lot 20-Paving \$23.90, lead service \$25.00; E1/2 lot

20-\$23.90.

Block 100 -- Lots 1 to 7 & 9, 11, 12-\$47.80; lot 8-Paving 47.80, lead service \$25.00; W1/2 lot 10-Paving \$23.90, lead service \$25.00; E1/2 lot 10-\$23.90.

Block 111 -- Lot 18-Paving \$146.89, lead service \$23.67; Lots 19, 22, 28-Paving \$74.22, lead service \$23.67; lots 20, 21, 23 to 27 & 29 to 34-\$74.22.

Block 112 -- Lots 17, 18, 19, 21, 23, 24, 26, 28, 29, 30, 31-\$74.40; lots 20, 22, 25, 27, 32-Paving \$74.40, lead service \$23.67.

Block 113 -- Lots 17 to 26 & 28, 30, 32-\$74.40; lots 27, 29, 31-Paving \$74.40, lead service \$23.67.

Block 114 -- Lots 17, 23, 26, 28, 32-Paving \$74.40, lead service \$23.67; lots 18 to 22 & 24, 25, 27, 29, 31-\$74.40; W 6 ft of lot 30-\$17.86; E 19 ft. of lot 30-Paving \$56.54, lead service \$23.67.

Block 115 -- Lot 1-\$133.39; lot 2-\$108.38; lot 3-\$83.37; lot 4-\$58.35; lot 5-\$33.34; lots 20, 23, 25, 26, 28-\$74.51; lots 21, 22, 24, 27-Paving \$74.51, lead service \$23.67.

Block 128 -- Lot 6-\$33.34; lot 7-\$58.35; lot 8-\$83.37; lot 9-\$108.38; lot 10-\$133.39; lots 11, 13, 14, 17-\$74.51; lots 12, 15-Paving \$74.51, lead service \$23.67; W 2 ft. of lot 16-\$5.96; E 23 ft. lot 16-Paving \$68.55, lead service \$23.67. N 82 1/2 ft. lots 18, 19-Paving \$123.39, lead service \$23.67; S 42 1/2 ft. lots 18, 19-Paving \$25.63, lead service \$23.67.

Block 129 -- Lots 1, 2, 3, 5, 6, 8, 9, 10, 11, 13, 14, 16-\$74.40; lots 4, 12, 15-Paving \$74.40, lead service \$23.67; W1/2 lot 7-Paving \$37.20, lead service \$23.67; E1/2 lot 7-Paving-\$37.20, lead service-\$23.67.

Block 130 -- Lots 1, 2 & 4 to 16-\$74.40; lot 3-Paving \$74.40, lead service \$23.67.

Block 131 -- Lots 1, 2, 4, 5, & 7 to 15-\$74.40; lots 3, 6-Paving \$74.40, lead service \$23.67; lot 16-Paving \$74.40, lead service \$32.84.

Block 132 -- Lots 1 to 5 & 7 to 16-\$74.22; lot 6-Paving \$74.22, lead service \$116.39; lot 17-\$146.81.

By order of the City Council, January 18, 1928.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the City of Grand Junction, Colorado, this 18th day of January, 1928.

/s/ Helen C. Niles

City Clerk

STATE OF COLORADO)

County of Mesa) ss
City of Grand Junction)

I, C.D. Moslander, President of the City Council and ex-officio Mayor of the City of Grand Junction, Colorado, do hereby certify that the above and foregoing is the statement showing the whole cost of the improvements in Grand Junction Paving District No. 18, and includes interest to and including the 29th day of February, A. D. 1928, and apportioning the same upon each lot or tract of land or other real estate to be assessed for the same, all in accordance with the terms and provisions of Ordinance No. 178 as amended.

/s/ C. D. Moslander,

President of the Council

ATTEST:

/s/ Helen C. Niles

City Clerk

RESOLUTION

WHEREAS, The City Engineer of the City of Grand Junction, Colorado, has reported the completion of Paving District No. 18, and

WHEREAS, The City Council has caused to be prepared a statement showing the whole cost of the improvements of said Paving District No. 18, including therein two per cent additional for cost of collection and other incidentals, and including interest to and including the 29th day of February, 1928, and apportioning the same upon each lot or tract of land or other real estate, to be assessed for the same.

THEREFORE, BE IT RESOLVED, That the paving and all improvements connected therewith in said District be and the same are hereby accepted; that the said statement be and the same is hereby approved and accepted as the statement of the whole cost of the entire improvements of said Paving District No. 18, including two per cent additional for cost of collection and other incidentals and including interest to and including the 29th day of February, 1928, and

BE IT FURTHER RESOLVED, That the same be apportioned on each lot or tract of land, or other real estate, to be assessed for the same, and that the same be certified by the President of the Council and filed in the office of the City Clerk; and

BE IT FURTHER RESOLVED, That the Clerk shall immediately advertise for three days in the Daily Sentinel, a newspaper of general circulation published in said City, notice to the owners

of the real estate to be assessed, and to all persons interested generally without naming such owners or owner; that said improvements have been completed and accepted, specifying the whole cost of the improvements and the share so apportioned to each lot or tract of land; that any complaints or objections that may be made in writing by such owners or persons shall be made to the Council and filed with the Clerk within thirty days from the first publication of said notice; that the same may be heard and determined by the Council at the first regular meeting after said thirty days and before the passage of the Ordinance assessing the cost of the improvements, all being in pursuance of the terms and provisions of Ordinance No. 178 of said City, as amended.

Councilman Rogers moved, Councilman Penberthy seconded the motion that the Resolution as read be passed and adopted. Upon which motion the following vote was cast: Councilmen voting YEA, Penberthy, Meders, Bear, Rogers, Hall, Ellison, Moslander. All the Councilmen voting YEA, the President declared the motion carried.

There being no further business to come before the meeting on motion of Councilman Penberthy, seconded by Councilman Ellison, the meeting adjourned.

/s/ Helen C. Niles
City Clerk